



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/635,522	08/09/2000	Tatsuma Ohkubo	195531US2	5629

22850 7590 07/19/2004

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

SEFCHECK, GREGORY B

ART UNIT	PAPER NUMBER
----------	--------------

2662

DATE MAILED: 07/19/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/635,522

Applicant(s)

OHKUBO ET AL.

Examiner

Gregory B Sefcheck

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 9-16, 19 and 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

- Applicant's Response to Restriction filed 4/28/2004 is acknowledged.
- Group I, claims 1-8, 17 and 18, are elected without traverse.
- Claims 9-16, 19 and 20 are withdrawn.

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-8, 17, and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- Regarding claims 1, 2, 17, and 18,

The operating relationships between components of the information saving apparatuses as claimed are indefinite. Referring to lines 12-22 of claims 1 and 2, lines 10-16 of claim 17, and lines 9-13 of claim 18, the language used to describe the operation of the apparatus and instructions carried on a computer-readable medium is

confusing. The sequence of operations as claimed regarding the saving of information, exchanging of notifications and processing of the information and notifications by the information saving apparatus (claim 1 and 2) and instructions carried on a computer-readable medium (claims 17 and 18) does not clearly define how the individual components or processes of the invention work together to perform a task.

- Claims 3-8 are rejected because they depend from claim 1.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-8, 17, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Fox et al. (US006421781B1), hereafter Fox.

- In regards to Claims 1-3, 17, and 18,

Fox discloses a proxy server apparatus and computer-readable medium for storing information shared among client devices across a computer network (Title;

Abstract; Col. 1, lines 13-16; claim 1/2 – saving apparatus; claim 1/2/17/18 - storing shared information via a network).

Referring to Fig. 2, Fox shows that the proxy server 114 is connected to a network (claim 1/2 – input/output unit connected to the network) for distributing notifications to client devices.

Fox further discloses that Server 114 contains a notification messenger, queue and interface for managing notifications between the servers and client devices utilizing memories and one or more microprocessors for storing and processing the notifications and communication protocols for one or more networks. (Fig. 2; Col. 5, lines 33-50; Col. 7, lines 18-20 and 40-42; claim 1/2/17/18 – performing predetermined data processing; claim 1/2 – notification administration unit to manage notifications between a transmitting and receiving user; claim 1/2/17 – storing unit to store sending conditions of notifications, data including notification administration information specifying communication methods, and programs; claim 3 – application unit comprises a plurality of application modules each configured to perform specific data processing).

Fox discloses that a request for originating notification to the client devices is selectively sent to the notification interface of the proxy server from the web server when an update to the shared information occurs (Fig. 2; Col. 6, lines 13-18; Col. 7, lines 5-23; claim 1/2/17/18 – request for originating notification to the receiving user is selectively sent to the notification administration unit based upon said application unit receiving shared information originating from a transmitting user and I/O unit subjecting the information to predetermined data processing and storing in storing unit).

Fox also discloses that the proxy server has the ability to authenticate requests and notifications exchanged between the servers and clients by making reference to the certificate contained within the notification requests (Figs. 4 and 5; Col. 8, lines 10-32; claim 1/2/17/18 – wherein notification admin unit makes reference to notification administration information and originates said notification based on said notification to said receiving user, according to said sending conditions and communication method, in response to receiving said notification request based upon a notification accompanying origination of shared information from transmitting user being received or a predetermined event set at said application unit occurring).

- In regards to Claims 4 and 8,

Fox discloses a proxy server apparatus for storing information shared among client devices across a computer network that covers all limitations of the parent claims.

Fox shows several types of notifications, including status requests of completed notifications, are processed by the proxy server 114, where the proxy server relays the notification to the client including the updated information, address of the information, or both (Col. 7, lines 20-40; claim 4/8 – application modules add information used by application modules corresponding to said reception confirmation notification based on said reception confirmation notification).

- In regards to Claim 5,

Fox discloses a proxy server apparatus for storing information shared among client devices across a computer network that covers all limitations of the parent claims.

Fox shows, after an initial request, the proxy server utilizes the stored authentication and domain information for relaying subsequent notifications to client devices at appropriate times determined by that domain (Col. 6, lines 13-18; Col. 7, lines 40-42; claim 5 – notification administration unit immediately originates notification based on notification to the receiving user according to the sending conditions included in said notification administration information, said notification selectively being temporarily stored in the storing unit and originated at a time determined by said sending conditions).

- In regards to Claims 6 and 7,

Fox discloses a proxy server apparatus for storing information shared among client devices across a computer network that covers all limitations of the parent claims.

Fox discloses that the proxy server can provide a status of a notification request when it receives a notification status request. Both pending and completed notifications may be queried (Col. 7, lines 43-49; claim 6 – upon receiving a reception state administration request from said application modules, notification admin unit generates reception state administration information for managing the reception state of the shared information by said receiving user; claim 7 – upon receiving a reception

confirmation notification from a receiving user indicating that shared information has been received, application module sends said reception confirmation notification and an origination request to said notification admin unit, and wherein, upon receiving said origination request, notification admin unit originates said reception confirmation notification based on said reception confirmation notification to said transmitting user).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Rhee (US 20020052218A1) discloses a network-based system and method for supporting communications between a sender and a receiver upon requests of the receiver
- Fox et al. (US006742127B2) discloses a method and apparatus for maintaining security in a push server
- Schuster et al. (US006650619B1) discloses a method and system for facilitating increased call traffic by reducing signaling load in an emergency mode
- Narasimhan et al. (US006597688B2) discloses a scalable architecture for transmission of messages over a network
- Ono et al. (US006496930B1) discloses a message receiving apparatus and message transmitting apparatus

- Gentry (US006453162B1) discloses a method and system for subscriber provisioning of wireless services
- Norton et al. (US006411621B1) discloses an apparatus, method, and system for an intermediate reliability protocol for network message transmission and reception
- Kalajan (US006304908B1) discloses a mechanism for delivering a message based upon a source address
- Chang et al. (US006134584A) discloses a method for accessing and retrieving information from a source maintained by a network server

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory B Sefcheck whose telephone number is 703-305-0633. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 703-305-4744. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GBS
7-8-2004



HASSAN KIZOU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600